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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,374	12/27/2000	Tomohito Shida	1466.1024	3846
21171	7590	04/25/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			ALVAREZ, RAQUEL	
			ART UNIT	PAPER NUMBER
			3622	

DATE MAILED: 04/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/748,374

Applicant(s)

SHIDA, TOMOHITO

Examiner

Raquel Alvarez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This office action is in response to communication filed on 2/13/2006.
2. Claims 1-8 are presented for examination.

#### **Claim Rejections - 35 USC § 112**

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. In claims 1, 7, the claims recite "a recognition code" in line 6 and "a recognition code" in line 8. It is unclear if the recognition code claimed in lines 6 and 8 are the same or if is a different recognition code. For purpose of examination, the recognition code will be treated as being the same recognition code.

Correction is required.

#### **Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-8 are rejected under 35 U.S.C. 102(a) as being anticipated by Shinichi et al. (JP 11283127 hereinafter Shinichi).

With respect to claims 1-2,5, 7, Shinichi teaches a point-service system that can be accessed by a customer using a terminal device (Abstract and Figure 1). A point database recording a number of points accumulated for a customer, the points being

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issued by one point usable facilities (paragraph 0008, lines 10-12); a use management database recording identifying information of the customer, a number of reserved points, a recognition code issued, and information indicating whether the number of reserved points, in response to a used (paragraph 0009, lines 4-14); means for issuing the recognition code, in response to a use request with the number of reserved points from the customer (i.e. the customer receives the identification code in order to access the reserved points system)[0008]; means for recording the issued recognition code along with the number of reserved points in the use management database (0009, lines 4-14); means for transmitting data of a point use ticket, comprising the number of reserved points that are issued and the recognition code issued for the number of reserved points, to the terminal device for use of the point use ticket by the customer (i.e. the user receives the points and the recognition code in order to access the system)[0008].

With respect to claims 3-4, 6, 8, Shinichi further teaches means for adding the number of points for the invalidated recognition code to the accumulated number of points for the customer to record the added number of points as a new accumulated number of points in the point database [0009].

### **Response to Arguments**

6. Applicant argues that Shinichi doesn't teach issuing a recognition code for a number of reserved points and that the issuance of the identification data is in response

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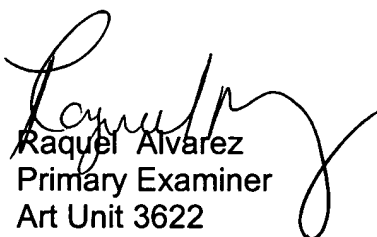
to a number of points to be issued on a ticket. The Examiner disagrees with Applicant because Shinichi states in paragraph 8, "write means for writing a balance, obtained by subtracting the number of points of the ticket issued by the ticket issuance means from the number of available points displayed on the display means after the ticket is issued by the ticket issuance means, into the host computer as a new number of available points" in addition in paragraph 14 Shinichi states "the identification data is recorded on an IC card having a recording part on which the number of available points that can be issued as a ticket is recorded together with the identification data" as stated above the identification data identifies the number of available points. Also in paragraph 26, it further states "the data management section 70 holds a balance of available points....together with ticket management data of a ticket 2 read by the read unit 43 of the ticket issuance section 40 and an issue date printed by the printing means unit 44 of the ticket issuance section 40 as a group for each identification data herein, such management data is transmitted to the host 100 by the communication section 55, and then is held so as to be readable if necessary". It seems from the above passage that Shinichi is identifying each of the ticket issuance section based on the available points after the tickets are issued for each section.

**Point of contact**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raquel Alvarez whose telephone number is (571)272-6715. The examiner can normally be reached on 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric w. Stamber can be reached on (571)272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Raquel Alvarez  
Primary Examiner  
Art Unit 3622

R.A.  
4/19/2006